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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of: Docket No.: 3141-A  
Virginia L. Price and Sharon T. Wong-Madden

Serial No.: 10/080,428 Examiner: Terry A. McKelvey

Filed: February 22, 2002 Art Unit: 1636

For: COMPOSITIONS AND METHODS FOR  
PRODUCTION CELL CULTURE

**AMENDMENT AND RESPONSE TO RESTRICTION REQUIREMENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This paper is filed in response to the Office Action dated September 22, 2004, in which the Examiner required restriction of the elected invention to the subject matter of one of the following three (3) groups of claims, and to elect a single disclosed species.

- Group I. Claims 1-13, drawn to host cell, classified in class 435, subclass 325.
- Group II. Claims 14-29, drawn to method of producing a protein of interest, classified in class 435, subclass 69.1.
- Group III. Claims 30-34, drawn to method of producing a eukaryotic cell, classified in class 435, subclass 455.

Applicants provisionally **elect the claims of Group I** for initial examination. With respect to the requirements for election of species, Applicants elect: (1) p65; (2) CMV promoter; (3) an antibody; and (4) CHO.

**Amendments to the Claims** are reflected in the listing of claims, which begins on page 2 of this paper.

Concluding **Remarks** begin on page 6 of this paper.